



PATENT & TRADEMARK OFFICE
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Attorney Docket No.:
4906.P074

First Named Inventor: Michael McClary

Application No.: 09/835,704

Art Unit: 2662

Filed: 04/16/2001

Examiner: Ricardo M. Pizarro

Title: METHOD AND APPARATUS FOR DEFRAMING SIGNALS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

[] Small entity fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

[X] Other than small entity – fee \$1,500.00 (37 CFR 1.17(m)).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Response and Amendment (identify type of reply);
[] has been filed previously on _____.
[X] is enclosed herewith.
- B. The issue fee of \$ _____.
[] has been paid previously on _____.
[] is enclosed herewith.

04/12/2006 HDESTA1 00000083 09835704

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1500.00 OP

(Page 1 of 2)

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

4/6/06
Date


Signature

Telephone
Number:(408) 720-8300

Daniel M. DeVos
Typed or printed name

37,813
Reg. No.

Enclosures: Fee Payment 12400 Wilshire Boulevard, Seventh Floor
 Reply Los Angeles CA 90025-1030
 Terminal Disclaimer Form
 Additional sheets containing statements establishing unintentional delay
 Other: Amendment and Response

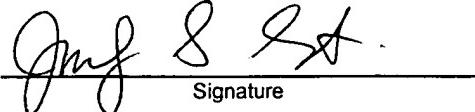
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

04/06/2006
Date


Signature

Judy L. Steinkraus
Typed or printed name of person signing certificate

**FEE TRANSMITTAL FOR FY 2006**

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 1,500.00

Complete if Known:

Application No. 09/835,704
 Filing Date 04/16/2001
 First Named Inventor Michael McClary, et al.
 Examiner Name Pizarro, Ricardo M.
 Art Unit 2662
 Attorney Docket No. 4906.P074

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

The Director is authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.
 Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code (\$)	
1011	300	2011 150	Utility application filing fee } 1,000/500
1111	500	2111 250	Utility search fee }
1311	200	2311 100	Utility examination fee }
1012	200	2012 100	Design application filing fee }
1112	100	2112 50	Design search fee }
1312	130	2312 65	Design examination fee }
1013	200	2013 100	Plant filing fee }
1113	300	2113 150	Plant search fee }
1313	160	2313 80	Plant examination fee }
1004	300	2004 150	Reissue filing fee }
1114	500	2114 250	Reissue search fee }
1314	600	2314 300	Reissue examination fee }
1005	200	2005 100	Provisional application filing fee }

SUBTOTAL (1) \$ _____

2. EXCESS CLAIM FEES

<u>Total Claims</u>	<u>26</u>	<u>– 46 or HP =</u>	<u>0</u>	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20				X	=	0
<u>Independent Claims</u>	<u>7</u>	<u>– 11 or HP =</u>	<u>0</u>	X	=	0
HP = highest number of independent claims paid for, if greater than 3					=	0
<u>Multiple Dependent Claims</u>						
<u>Large Entity</u>		<u>Small Entity</u>				
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>			
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>	<u>Fee Description</u>		
1202	50	2202	25	Each claim over 20		
1201	200	2201	100	Each independent claim over 3		
1203	360	2203	180	Multiple dependent claims, if not paid		
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent		
1205	50	2205	25	Reissue: each independent claim more than in the original patent		
				SUBTOTAL (2) \$		0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____ / 50 = _____ (round up to whole number)	X _____		

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description:</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
<u>Code</u>	<u>(\$)</u>	
1081	250	2081 125 Utility
1082	250	2082 125 Design
1083	250	2083 125 Plant
1084	250	2084 125 Reissue

SUBTOTAL (3) \$ _____

FEE CALCULATION (continued)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	120	2251	60
1252	450	2252	225
1253	1,020	2253	510
1254	1,590	2254	795
1255	2,160	2255	1,080
1401	500	2401	250
1402	500	2402	250
1403	1,000	2403	500
1451	1,510	1451	1,510
1452	500	2452	250
1453	1,500	2453	750
1501	1,400	2501	700
1502	800	2502	400
1503	1100	2503	550
1462	400	1462	400
1463	200	1463	200
1464	130	1464	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1814	130	2814	65
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,370	1454	1,370
		Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

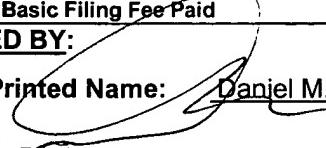
Other fee (specify) _____

SUBTOTAL (4) \$1,500.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Daniel M. DeVos

Signature: 

Date: 4/6/06

Reg. Number: 37,813

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



UNITED STATES PATENT AND TRADEMARK OFFICE

OIFL IAP28
APR 11 2006

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

DMD/cmm

Feedback Festival

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,704	04/16/2001	Michael McClary	4906.P074	5748

8791 7590 04/03/2006

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
 12400 WILSHIRE BOULEVARD
 SEVENTH FLOOR
 LOS ANGELES, CA 90025-1030

RECEIVED

EXAMINER

PIZARRO, RICARDO M

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 04/03/2006

APR 05 2006

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
 LOS ANGELES

Please find below and/or attached an Office communication concerning this application or proceeding.

ENTERED

APR - 4 2006

STATUS DB/LA

Date	7/3/2006	Client:	Redback Networks Inc.
Docket Initials		4906.P074	
Dock. Sup. Initials			
Atty Initials		DMD DFN CMM	
Pat/Ser/Reg	835704	39	x
Description: Deadline to revive abandoned application			
4/5/2006		Natalie Adair	534191

Date	6/3/2006	Client:	Redback Networks Inc.
Docket Initials		4906.P074	
Dock. Sup. Initials			
Atty Initials		DMD DFN CMM	
Pat/Ser/Reg	835704	39r	
Description: Reminder: Deadline to revive abandoned application is 7/3/06			

4/5/2006 Natalie Adair 534192



H.A

Notice of Abandonment

Application No.	Applicant(s)
09/835,704	MCCLARY ET AL.
Examiner	Art Unit
Ricardo Pizarro	2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 09 September 2005.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:

HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.